



# capital translator

Newsletter of the National Capital Area Chapter of the American Translators Association  
Vol. 20, No. 3 April 1998

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## New Wrinkles in German-English Patentese: A Glossary Update

by Jan McLin Clayberg

*The human mind is a fertile thing, and the language we use to express it burgeons and changes all the time. We think we know at least our own native tongue, but it slips away from us when we are not looking—after all, by definition, no one alone is the sole creator of our language.*

*This is by way of introducing the embarrassing fact that even after 20 years in translation, I can be humbled. And that is an understatement.*

Recently, a client sent me the official English version of some PCT (Patent Cooperation Treaty) forms—according to which I had been translating some terms *incorrectly*, or at least not in conformity with officialdom.

Some background for those of you who don't see these things every day: Most patent applications I translate are first filed in a German-speaking country; to claim the priority (validity back to the original filing date) of this original application, a United States patent application based on it must be filed within one year. When a PCT application is filed, various countries are designat-

ed; the deadlines for filing in the designated countries are longer (20 to 30 months), which can have advantages.

Often, when a PCT case "enters the national phase" in the US, the translator gets a complicated package of papers: the application as originally filed; various PCT forms; and amendments in response to the PCT forms.

In PCT prosecution, the *Prüfungsbericht* is the equivalent of what the United States Patent and Trademark Office calls an Office Action, which German patent attorneys call a *Prüfungsbescheid*. But the PCT term is officially translated (logically enough, and literally) as "Examination Report". That was belated news to me. It is but slight comfort to think that some other translator, somewhere, by a simple choice of words, has made me wrong. We are a powerful band, in our way.

Terms to add to my glossary of patentese (published in the *ATA Chronicle* in May, 1995), or to your own are listed on page 6.

Official translations of the headings for PCT/IPEA/409 and PCT/IPEA/408 that in my experience

are most often filled in are shown on pages 6 and 7 (usually only sections with something typed in on the form need to be translated). Dates, page numbers, boxes checked, and PCT numbers are given solely as examples. Some headings are quite similar in the two forms, but note that they cite different PCT rules and articles. If you need these forms in full in English, call me at 703-533-0333 and I can fax them. Of course, I can also be reached by e-mail ([jmc@clayberg.com](mailto:jmc@clayberg.com)). ✍

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## Inside

President's Corner	2
New Members	2
Job Fair	3
Rate Survey Report	4
Official Translations	6
Calendar	8



## capital translator

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## President's Corner

by Scott Brennan



**W**e're looking forward to a strong turnout at the **Job Fair** this March 28, with a great deal of interest being stirred up from translation companies and government agencies, including at least one flying in especially for the event! Many NCATA members took part in the Virtual Résumé Clinic in preparation for the event, and your board has worked hard to make it a success. Take advantage of this opportunity to build and expand your client network (see box on page 3).

Mark your calendars — NCATA's Spring workshop in the language of **international development** is scheduled for May 2 at the Ellipse Conference Center (the site of the upcoming job fair and last fall's legal translation workshop). This all-day program will take a two-pronged approach. An overview of the development field and a panel discussion with subject-area specialists will be offered in the morning, with the afternoon reserved to the nuts and bolts, from translator to translator. Although the slate has not been finalized, look forward to speakers and panelists from multilateral organizations, NGOs, private sector entities and U.S. government agencies involved in development, including both translators and subject-area specialists.

The morning session will bring participants face to face with professionals working in key development

specialties, drawn from areas such as education, project finance, public health, housing and urban planning, election reform, judicial reform and sustainable development. This is often the final target audience for our work. How do they use translators and interpreters in Washington and in the field? What do they look for? What can their expertise offer you? Have your questions ready.

In the afternoon, IMF in-house translator Neil Inglis and others will offer tips on terminology, phraseology and word choice (key terms, pitfalls), politically correct language and target audience awareness.

International development is an important niche market in the Washington area, and this NCATA workshop promises to offer seasoned translators and interpreters, as well as newcomers with a desire to learn, an excellent opportunity to deepen their knowledge and polish their skills.

Watch the mail for the final program and registration materials. The organizers for this seminar include Alison Sondhaus-Carroll, Luis Fierro, Kim Olson and Neil Inglis. Interested in helping out? Contact me at the e-mail address or telephone number listed in the masthead. ✍

## Welcome

A warm welcome to the following new members: **Eric Bibby, Vittorio Felaco, Brian John Fish, Claire Haymes, Amy Jacobson, Anne Kenison, Aida Lopez-Ahmad, Megumi Tsukada Narita, Alan Villarreal, Karen A. Wilde, and Gloria Pini Williams.** ✍

## Job Fair on March 28!

The first annual Job Fair of the National Capital Area Chapter of the American Translators Association, which will be held on March 28, will bring Washington-area translators and interpreters face to face with area bureaus and public-sector consumers of our services. At the job fair, freelancers, job-seekers and others will have the opportunity to present their résumés to recruiters and be interviewed. Participation in the annual job fair is one of the benefits of membership in NCATA.

The job fair will be held from 1:30 to 4:00, Saturday, March 28, at the Ellipse Conference Center of the National Rural Electric Cooperative

Association in Arlington, Virginia (see map and directions).

If you plan to attend, please send an e-mail message to NCATA Program Chair Alissa Martin at [martina2@gusun.georgetown.edu](mailto:martina2@gusun.georgetown.edu), or confirm your attendance in writing to:

Alissa Martin  
NCATA Program Chair  
5230 Baltimore Ave.  
Bethesda, MD 20816

Tell your colleagues about the job fair. Nonmembers are invited to join NCATA (annual dues \$25), or pay \$10 to attend the job fair. Send your check to the same address. ✉

### When

Saturday, March 28, 1998.  
1:30 to 4 p.m.

### Where

Ellipse Conference Center,  
National Rural Electric  
Cooperative Association  
4301 Wilson Boulevard,  
Arlington VA

### Why

Meet with recruiters from area translation companies and public-sector consumers, present your résumé and be interviewed.

### Transportation and Parking

Located at the corner of Wilson Boulevard and North Taylor Street in the heart of Arlington's Ballston district, the Ellipse Conference Center is easily accessible by public transportation or automobile.

**From Metro's Orange Line**, exit at Ballston. NRECA is one block southwest from the Ballston Station: from the top of the escalator, turn right and walk to Stuart Street. Turn left and walk along Stuart towards Ballston Common Mall. At the intersection of Stuart and Wilson Boulevard, turn right, cross Stuart and continue along Wilson for one block. At the next intersection (Wilson and Taylor), cross the street, and turn right onto North Taylor Street; the NRECA entrance will be on your left.

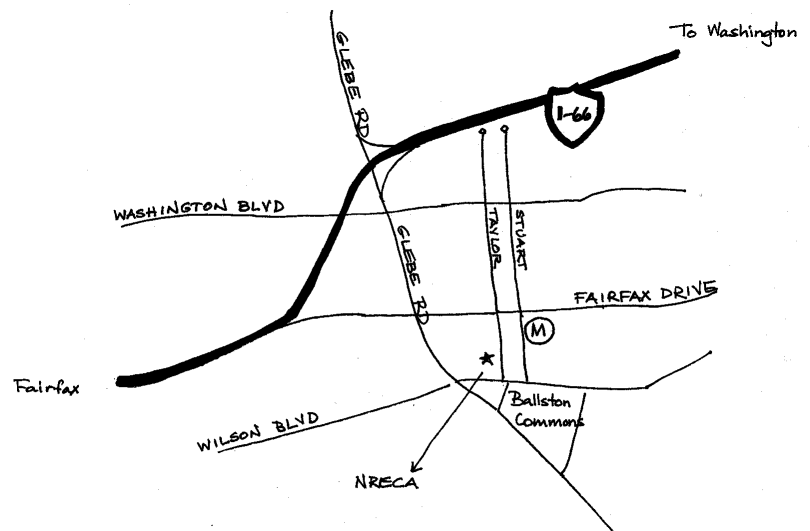
**From I-66**, take the Glebe Road/Ballston exit (Exit No. 23). Take Glebe Road south until it intersects with Wilson; turn left onto Wilson and left again onto North Taylor Street. The building's four-level parking garage is accessible from the North Taylor Street ramp. Two shuttle elevators operate from each garage level to the Plaza Lobby.

#### Access for the Disabled

The NRECA building and Ellipse Conference Center meet all ADA requirements and are completely accessible to the disabled.

#### Amenities

The National Rural Electric Cooperative Association is a smoke-free building. Ladies' and men's restrooms, public telephones and a coat room are conveniently located inside the Conference Center foyer.



# Rates Charged by Interpreters and Translators Working Using the Internet/CompuServe in 1997

by Michael Benis

## Introduction

The survey was carried out between January 1997 and April 1997. All respondents were on the Internet and/or CompuServe, mainly contacted via the Lantra mailing list for interpreters and translators on the Internet and the FLEFO Forum on CompuServe.

A total of 337 people replied to the questionnaire. Of these answers, 39 were not used because they were supplied in an incorrect format, preventing accurate collection.

The number of language combinations with a sufficient number of respondents to enable statistically significant results to be obtained was quite limited.

The share as a percentage for the target language was as follows

German	12%
Portuguese	4%
Finnish	8%
Italian	12%
Spanish	10%
French	7%
Dutch	6%
English	35%

Other languages, which cannot be considered to have provided significant results due to the low number of respondents, each accounting for less than 1%, were Bulgarian, Chinese, Czech, Greek, Norwegian, Polish, Russian, Swedish and Serbo-Croat.

## Presentation

The results have been presented in the simplest format possible for accurate interpretation to facilitate downloading and dissemination by e-mail. This has been achieved by

giving the results for target languages only. The nature of the results themselves has made this a feasible proposition (see below).

## Nature of the Results

There were a number of striking aspects to the results.

### (a) Differences between countries

Rates seem to vary little from country to country either amongst translators working with several different countries over the Internet or translators working in one country only but primarily over the Internet. One possible explanation for this is that those translators working with several countries over the Internet tend to gradually select customers (prevalently agencies) offering higher rates. Likewise, translators working only within their own country tend to live in those countries where rates are highest. Those countries reflecting the average rates paid by agencies for the survey were Canada and the USA. There do, however, seem to be even greater differences between low and high paying agencies in Belgium, France, the UK and USA compared to other countries. Variations in rates to direct customers are much less across countries and, however, vary considerably compared to the rate for agencies (between 30% and over 100% of the average agency rates—see section on other variations in rates below).

Very few of the respondents were interpreters, but rates do seem to be comparable for conference interpreting across countries, perhaps due to the international nature of the work. The same was true of business interpreting, but court interpreting rates vary significantly between countries (and states) and were in some cases

even lower than community interpreting rates in the same countries.

### *Highest-paying countries*

Agencies in Scandinavia and Switzerland pay approximately 17% above the average for the survey. Agencies in Germany pay approximately 10% above the average for the survey. Several translators living in these countries were keen to point out the high cost of living there.

### *Lowest-paying countries*

The lowest-paying country was Italy, at 43% below the average for the survey, followed by Russia at -40%, Spain at -30% and the UK at -13%. The proportion of translators in these countries working with agencies/customers in other countries is higher than the average (35%), the highest being Italy (62%) and the UK (49%).

### (b) Translations from “high-rate” languages into “low-rate” languages

Although the target language and client country are the strongest determining factors on the rates charged, there are a few notable exceptions for high-rate languages where demand for translations out of this language are high and it is not always easy to find a competent professional. Finnish is the most striking such case at the moment, with rates out of Finnish into Italian, for example, being much closer to the rates for translations into Finnish than they are for translations into Italian. Unfortunately, the small number of respondents in this situation means I cannot quote any reliable figures. A general rule of thumb which applies reasonably well to most cases is simply to take the median for the two languages.

### (c) Other variations in rates

The two factors most influencing rates were experience and specialisation.

The respondents had an average of 8 years' experience, meaning they are probably well established and, indeed, this should be borne in mind when considering the results as a whole. The biggest difference seems to be after 10 years, however. When combined with specialisation, the difference in rates charged can be up to four times the average figures for the target language concerned. The most profitable specialisations seem to be advertising, the chemical and pharmaceutical industry, medicine, banking and finance, nuclear energy, petrochemicals and the law. Established specialist translators tend to work direct with the end customer and charge more than agencies.

## Agencies

Most respondents worked with agencies, 58% only with agencies, 37% with agencies and one or more direct clients and 5% with direct clients only.

The rates shown are those charged agencies. Direct clients are charged an average of 35% with some charging agency rates and a very small percentage of specialists getting even more.

Sadly, reflecting the lack of confidence in the sector generally, very few agencies responded to the survey—although all stressed their interest in hearing the results! A large number of agencies were contacted directly with a view to increasing the number of replies, but in the end only three agencies replied, significantly all established and run by translators and all "members" of Lantra.

Unfortunately, the results were not really sufficient to be considered representative since each of the agencies was located in a different country and strongly influenced by the local market.

## Scale of Rates

Most translators do not set a scale of rates, such that there was no difference between their mean and median rates. 31% do set a scale and most of them (92%) have a mean that is below their median, indicating either that their top rates are unrealistic or that they are not marketing themselves successfully. Specialists were the only exception to this.

## Accreditation

This is still the exception rather than the rule, rarely rising above 25% with the most notable exception being Germany, where it still does not account for half of those surveyed (45%). Accredited translators tend to charge more than their non-accredited colleagues, although it is of course impossible to say whether this is a direct result of

accreditation or because they are generally more inclined to invest in their business and marketing.

## Results

The results of the survey show the following:

- the interpreting charge per day
- the percentage of this charged on an hourly basis for travel
- the translation rate in US Dollars per 1000 words of target language
- the percentage charging surcharges for rush work/anti-social hours and the range of percentages charged
- the percentage contracting work out to other translators and the range of percentages they charge in commission/fees/administration
- the percentage of accredited translators

Language	Interp	Trav%	Trans	Surch	%	Cont	%	Accr
Chinese	350	100	0.05*	100	15-30	—	—	70
Czech	510	100	—	—	—	—	—	—
Dutch	560	100	160	75	25-100	25	50	25
English	349	75	117	60	15-150	35	0-40	37
Finnish	—	—	150	50	10	—	—	—
French	—	—	124	43	50-80	20	10-25	6
German	650	100	152	75	25-50	40	10-40	45
Italian	—	—	108	50	50	25	10-30	25
Portuguese	—	—	110	30	20-30	30	20	—
Spanish	400	100	125	94	25-100	—	—	33

\* per character

Translators working with customers outside their own country:

Language	%
Chinese	100
Czech	100
Dutch	25
English	37
Finnish	50
French	40
German	53
Italian	62
Portuguese	30
Spanish	33

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## Official translations of the headings for PCT/IPEA/409

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

December 3, 1997

International Application No.  
PCT/DE/96/00493

V. Reasoned statement under Article 35 (2) as to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

#### 1. STATEMENT

Novelty	Claims 1-9	YES
Inventive step	Claims 1-9	YES
Industrial applicability	Claims 1-9	YES

#### 2. CITATIONS AND EXPLANATIONS

VIII. Observations on the International Application

#### I. Basis of the report

1. This report has been drawn up on the basis of the following (replacement sheets that have been submitted in response to a request under Article 14, are considered in the context of this report to be "as originally filed" and are not appended to the report because they contain no amendments).

Specification pages 1-3, as originally filed.  
Pages 4-10, filed with the amendment of [date].  
 Claims 1-9, filed with the amendment of [date].  
 Drawings, sheets 1/5 through 5/5 as originally filed.

2. The amendments have resulted in the cancellation of:

specification pages :  
 claims No.:  
 sheets of drawings/figures No.:

3.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2 c).

### Glossary Additions

Internationaler vorläufiger  
Prüfungsbericht:

International Preliminary  
Examination Report  
(not "Preliminary International...",  
by the way, but "International  
Preliminary...", and not "provisional",  
but "preliminary")

Internationaler vorläufiger  
Recherchenbericht:  
International Preliminary  
Search Report

Blatt  
Sheet  
(not page, though probably we  
wouldn't be crucified for this one)

Erfinderische Tätigkeit  
Inventive Step

(to me a strange translation but we  
have to live with it, at least on a  
PCT form; in letters about non-PCT  
applications, though, I say "inventive  
activity")

Schriftlicher Bericht  
Written Report

## Official translations of the headings for PCT/IPEA/408

### WRITTEN REPORT

May 3, 1996

International Application No.  
PCT/DE 95/00474

#### I. Basis of the Report

1. This report has been drawn up on the basis of the following (replacement sheets that have been submitted in response to a request under Article 14, are considered in the context of this report to be "as originally filed").

- Specification pages 1-5, as originally filed.
- Claims 7-11, as originally filed.
- Claims 1-6, as filed with the amendment of March 12, 1996.
- Drawings, sheets 1/5 through 5/5 as originally filed.

2. The amendments have resulted in the cancellation of:

- specification pages :
- claims No.:
- sheets of drawings/figures No.:

3.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2 c).

4. Any additional comments:

V. Reasoned statement under Rule 66.2(a)(ii) as to novelty, inventive step and industrial applicability; citations and explanations in support of such statement

#### 1. STATEMENT

Novelty	Claims 1-6	YES
Inventive step	Claims 1-6	NO
Industrial applicability	Claims 1-6	YES

#### 2. CITATIONS AND EXPLANATIONS

WO 92/17733 relates to ...

VIII. Observations on the International Application

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# Calendar

<b>Date</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
March 28	1-5pm	Job Fair	NRECA, Ellipse Conference Center, Arlington, VA Contact Alissa Martin, 301-718-0405
April 4	2 p.m.	Accreditation Seminar	Upstairs Auditorium, Cleveland Park Library at the corner of Connecticut Avenue and Macomb Street, NW, Washington, D.C.
April 25	1:30 p.m.	Accreditation Exam	Alexandria Graduate Education Center, George Washington University, 1775B Duke Street, Alexandria, VA. Contact ATA, 703-683-6100
May 2	all day	International Development Workshop	NRECA, Ellipse Conference Center, Arlington, VA Contact Alissa Martin, 301-718-0405

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